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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,550	01/11/2002	Peter Dunlop	INN 0004 NA	4928

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EXAMINER

SHAPIRO, JEFFERY A

ART UNIT PAPER NUMBER

3653

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/044,550

Applicant(s)

DUNLOP ET AL.

Examiner

Jeffrey A. Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 29-65 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 29-65 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/29/04.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 29, 30, 33-37, 43-45, 50-53 and 56-58, 60, 64 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hatamachi et al (US 6,076,648).

Hatamachi discloses a banknote processor with a banknote path (400) with curvature (see figure 5, for example), shutter/gate (71), reversible motor (50) which powers a bill conveyor, validation sensors (20 and 30) which either accept or reject notes, and if rejected, reverses feeds the rejected bill by reversing the conveyor, back through the bill inlet (11). Note that acceptable notes are reverse fed by the conveyor if said acceptable notes jam. Also note that shutter (71) can be construed as functionally equivalent to Applicant's pivotable flap/gate.

At the time of the invention, it would have been obvious to one ordinarily skilled in the art to have used Hatamachi's shutter in place of Applicant's flap, since they are functional equivalent to each other.

3. Claims 29-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swinton (US 5,136,144) in view of Gerlier (US 5,662,201).

Swinton discloses a banknote validator (see col. 2, lines 7-17), a banknote path

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(38) (see figure 2 and col. 3, lines 20-23), a non-return gate in the banknote path (92), (see col. 4, lines 45-48), reversible banknote driving means (150 and 228) (see col. 3, lines 20-23, col. 5, lines 34-37 and col. 10, lines 30-31). Swinton further has a banknote characteristic sensing means (40) (see col. 2, lines 7-17), means to operate the banknote driving means in a first direction and a 2<sup>nd</sup>, reverse direction to the first direction to either reject or accept a banknote (see col. 10, lines 10-42), the non-return gate includes banknote guiding means arranged for guiding an acceptable note along a banknote accept path when the banknote driving means is reversed (see col. 10, lines 34-38, the non return gate comprises pivotally mounted flap means (see col. 4, lines 10-16, col. 10, lines 32-34 and figures 3 and 4.

Swinton does not expressly disclose, but Gerlier discloses a banknote validator with flap means pivoted into an open position by contact with a banknote passing in a banknote insertion direction along the banknote path (see Gerlier, col. 5, lines 28-32 and figure 2.)

Both Swinton and Gerlier are considered to be analogous art because they both concern banknote processing using validation sensors.

At the time of the invention it would have been obvious to one of ordinary skill in the art to have used the biased flap means of Gerlier described previously in place of the flap means of Swinton.

The suggestion/motivation would have been to ensure that the gate closes after bills have passed said gate.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (703)308-3423. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (703)306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Shapiro  
Examiner  
Art Unit 3653

February 21, 2005



DONALD P. WALSH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600